

REMARKS

In response to the Restriction Requirement dated November 24, 2009, the applicants have hereby elected with partial traverse, Group 1, claims 1-8, 28 and 35-37, for examination at this time.

In response to the asserted requirement for election of two species of heterologous components, the applicants elect the species of (1) a biologically active RNA and (2) a nucleotide analog for consideration at this time. This species election is made with partial traverse on the grounds that the PTO misconstrues the claims. Specifically, applicants believe that the PTO misunderstands the claims in its assertion that the claims are directed in pertinent part to a heterologous component for which one encompassed species comprises a nucleotide analog.

In this regard, it is submitted that as disclosed in the specification and recited in claim 7, certain encompassed embodiments contemplate the polyvalent multimeric complex wherein at least one of the chimeric pRNA monomers incorporates at least one nucleotide analog or modified nucleotide. As such, “nucleotide analog” is not understood to be merely a species within the genus “heterologous component”. Instead, a nucleotide analog may be part of, but is not limited to being within, a “heterologous component”. Nevertheless, without acquiescence in this construction of the claim, and solely for purposes of complying with the asserted species election requirement, a “nucleotide analog” has been elected herewith in order to advance the prosecution of the present application.

The present elections are made with the understanding that upon the allowance of a generic claim, applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise require all the limitations of an allowed generic claim. Applicants further understand that if claims directed to a product are elected for

examination and found to be allowable, then withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim may later be rejoined to the application.

Consideration of the elected claims is now requested.

Respectfully submitted,  
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